

FORM PTO-1390  
(REV 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

043601/0110

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/284421

INTERNATIONAL APPLICATION NO.

PCT/GB97/02708

INTERNATIONAL FILING DATE

8 October 1997

PRIORITY DATE CLAIMED

8 October 1996

TITLE OF INVENTION

APPARATUS AND METHOD FOR CONDUCTING ASSAYS

APPLICANT(S) FOR DO/EO/US

John Francis Gordon

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A Separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:  
Return postcard

"Express Mail" Mailing Label No. EL13582256545Date of Deposit APRIL 8, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231.

Name JORIE JOHNSON  
(typed or printed)

Signature Jorie Johnson

## CALCULATIONS PTO USE ONLY

17. ☒ The following fees are submitted:

## BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO .....\$970.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but International Search Report prepared by the EPO or JPO .....\$840.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$760.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
but all claims did not satisfy provisions of PCT Article 33(1)-(4).....\$670.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$840

Surcharge of \$130.00 for furnishing the oath or declaration later than  
months from the earliest claimed priority date (37 CFR 1.492(e)).

☐ 20 ☒ 30

\$130

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	42 - 20 =	22	X \$18.00	\$396	
Independent claims	7 - 3 =	4	X \$78.00	\$312	

MULTIPLE DEPENDENT CLAIM(S) (if applicable)

+ \$260.00

\$

TOTAL OF ABOVE CALCULATIONS =

\$1678

Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement  
must also be filed (Note 37 CFR 1.9, 1.27, 1.28).

\$

SUBTOTAL =

\$

Processing fee of \$130.00 for furnishing the English translation later than  
months from the earliest claimed priority date (37 CFR 1.492(e)).

☐ 20 ☐ 30

\$

TOTAL NATIONAL FEE =

\$

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied  
by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

\$

TOTAL FEES ENCLOSED =

\$1678

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied  
by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

\$

Amount to be  
refunded

\$

Amount to be  
charged

\$

- a. ☒ A check in the amount of \$1678 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to  
Deposit Account No. 06-1450 of Foley & Lardner. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive  
(37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

FOLEY & LARDNER  
One IBM Plaza  
Suite 3300  
330 North Wabash Avenue  
Chicago, Illinois 60611-3608  
Telephone: (312) 755-1900  
Facsimile: (312) 755-1925

SIGNATURE

Jefferson Perkins

NAME

31,407

REGISTRATION NUMBER